

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bunya SATO
Serial No.: 10/542,959
Filed: July 21, 2005
For: LEAD TERMINAL AND POWER SUPPLY DEVICE
Examiner: JANE J. RHEE
Art Unit: 1795
Confirmation No.: 2061

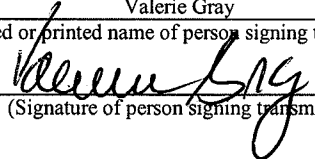
745 Fifth Avenue
New York, NY 10151

CERTIFICATE OF ELECTRONIC FILING

Date of Transmission: September 30, 2009

I hereby certify that this correspondence is being transmitted via
Electronic Filing Services on the date indicated above.

Valerie Gray
(Typed or printed name of person signing transmittal)


(Signature of person signing transmittal)

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action dated September 3, 2009, wherein
restriction was required as follows:

Group I claims 1- 14, which the Examiner asserts are directed to a terminal; and

Group II claims 15-28, which the Examiner asserts are directed to a power supply.

Applicant's representative contends the Group I claims are a subcombination of the Group II claims, and elects, **without traverse**, Group I claims 1-14 for further prosecution in the present application. It is recognized that, since the Group I claims are a subcombination of the Group II claims, if the subcombination claims are allowed, the Group II claims that recite the same limitations as the allowed Group I claims likewise should be allowed.

The Office Action also contends that the claims are directed to different species, identified as: "laminate body is a) metal, b) clad, c) wood." Furthermore, the Office Action contends there are no generic claims.

It is respectfully submitted, claims 1 and 7 of the Group I claims are generic.

Applicant elects, **with traverse**, those claims that read on Species a), namely, claims 1-9.

Since claims 1 and 7 are generic; should any of these generic claims be found allowable, the requirement for an election of species among the claims of Group I will be withdrawn and all of the claims of this Group that include the limitations of the allowable generic claim likewise will be allowable.

It is submitted that a search for the invention defined by the claims of Species b and c will require a search that encompasses the claims of Species a and, thus, the claims covering all species will be searched. If the present requirement for an election of species is maintained, the logical result will be the filing of divisional applications to include the claims that read on the non-elected species. Of course, this will mean that the examination of such claims will be delayed. However, since the search for the claims included in those divisional applications will overlap with and, in all probability, be identical to the search that is to be conducted on the Species a claims elected herein, the primary effort needed to examine all

applications will be repeated. Furthermore, it is likely that the same Examiner will be in charge of the divisional applications; but in light of the delay between the prosecution of the present application and that of the divisional applications, the Examiner will have to conduct redundant searches at a later time. Alternatively, if different Examiners are assigned to the divisional applications, a significant loss of PTO efficiency will result in their examination of those divisional cases. After all, the present Examiner will be the individual in the best position to examine all applications and he will be fully familiar with the subject matter of the divisional application.


Therefore, since the only logical outcome of the present requirement for an election of species would be to delay the examination of the claims that read on Species b and c, resulting in inefficiencies on the part of the Office and unnecessary expenditures by applicant, and since a single search can be done for all claims without any significant burden on the Office, it is respectfully requested that this requirement for an election of species be withdrawn.

Applicant reserves his right to file a divisional application, if necessary, so as to proceed with the examination of the non-elected claims.

An early examination on the merits of the claims of this application are respectfully solicited.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By: 
William S. Frommer
Reg. No. 25,506
Tel. (212) 588-0800